



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,553	09/08/2003	Frank Tsai	USP2213A-WPI	3275
30265 7590 09/25/2008 DAVID AND RAYMOND PATENT FIRM 108 N. YNEZ AVE., SUITE 128 MONTEREY PARK, CA 91754				
EXAMINER				
HAWK, NOAH CHANDLER				
ART UNIT		PAPER NUMBER		
3636				
MAIL DATE		DELIVERY MODE		
09/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/658,553

Applicant(s)

TSAI, FRANK

Examiner

NOAH C. HAWK

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 58 and 60-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 58, 60-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/18/08 has been entered.

Claim Rejections - 35 USC § 103

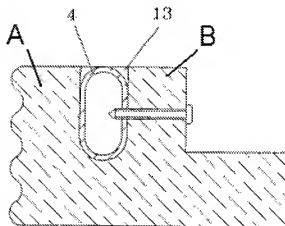
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 58 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in US Patent 6112674 in view of Wen in US Patent 6520094 and Palmer in US Patent 4825781. Stanford teaches a table comprising a tabletop (12) comprising a plastic made and substantially rectangular top panel (13), two tabletop supports (42,44) longitudinally supported under the top panel along side portions thereof, a pair of table supporting frames comprising a leg frame (18, 20) with an upper end portion (88) and a supporting means having a folding frame (100) and supporting arms (24,30) with a

lower retention portion (104), and an upper portion (36) having outer ends pivotally mounted at the tabletop supports such that the supporting arms are transversely extended underneath the tabletop at a midpoint of the panel. Stanford further teaches that the folding frame has two ends (26) pivotally connected with the retention portions of the supporting arms and that the folding frames are pivotally connected to the leg frame (best seen at the outer ends of members 100). Stanford fails to teach a pair of receiving tracks defined in the underside of the tabletop by a surrounding rim having an inner and outer sidewall. Wen teaches a surrounding rim downwardly extended from the edge of the tabletop, the surrounding rim having an outer sidewall (A) and an inner sidewall (B) that define a receiving track (13) between the inner and outer sidewalls under the top panel (1) and along the side edges wherein table supports (4) are completely received in (See Figure 4) and securely mounted in the receiving tracks (the supports are securely affixed and are positioned within the receiving tracks). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the tabletop of Stanford by adding a receiving track formed by a surrounding rim with an inner and outer sidewall as taught by Wen in order to provide a more secure mounting means for the tabletop supports. Stanford, as modified, fails to teach that the supporting means comprises two L-shaped supporting arms. However, the arrangement of two L-shaped supporting arms next to each other would form a T-shaped supporting assembly, which is what the supporting assembly of Stanford shows (elements 24/30 and 36 form twin T-shaped mid-reinforcing supports). Palmer teaches a supporting frame (A) with two L-shaped arms (formed by portions 3 and 4 of frame A) having

parallel portions and forming a T-shaped assembly. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the support of Stanford, as modified, by using an assembly of L-shaped arms as taught by Palmer in an arrangement that produces a double mid reinforcing structure (replacing each side of the T-shaped structure with a pair of L-shaped arms) in order to provide more structural rigidity to the tabletop and to provide more legroom under the table. Stanford, as modified, further teaches a ring shaped locker (108) slidably mounted to the supporting arms.



Wen, Figure 4 (detail)

4. Claims 60, 61, 65 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford, as modified, as applied to Claim 58 above and further in view of Witkowiak in US Patent 2695828 and Pinch in US Patent 6058853. Stanford, as modified, fails to teach an attachment arrangement comprising attachment members

and mounting members. Witkowiak discloses mounting foldable leg frames to a supporting siderail using attachment members (16) extending from the siderail that are inserted into the leg frames (see Witkowiak, Fig. 2) but does not disclose four attachment members and four coupling members. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Stanford, as modified, by using an attachment arrangement of members extending from the siderail to be inserted in the frame segments as taught by Witkowiak, and in an appropriate number to accommodate all of the frame segments that needed to be attached in order to provide a more secure mounting means for the support members. Stanford, as modified, fails to teach a plurality of guiding slots in the inner sidewall of the surrounding rim to align with the attachment members and coupling members or that the tabletop is foldable. Pinch teaches a plurality of guiding slots (160) formed on inner sidewall (152) of a surrounding rim to align with an attachment arrangement (in this case, the attachment and coupling members). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the inner sidewalls of Stanford, as modified, by using guiding slots therein, as taught by Pinch, in order to provide a means to more positively align the arms of the leg frames and supporting frames with the attachment and coupling members on the tabletop supports. Pinch further teaches a tabletop comprising a folding joint (164) formed between supporting portions of the supporting frames. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the tabletop of Stanford, as modified, by using a folding tabletop as taught by Pinch in order to make stowage of the device easier when not in use.

Stanford, as modified, further teaches a ring shaped locker (108) slidably mounted to the supporting arms.

5. Claims 62, 63, 66 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford, as modified, as applied to claim 58 above and further in view of Pinch. Stanford, as modified, further teaches an attachment arrangement comprising holes in the tabletop supports (ref 46. and column 14, lines 5-7) to receive the ends of the leg frames and the supporting members. Although Stanford doesn't teach a specific number of attachment holes, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the device tabletop supports of Stanford, as modified, by using a appropriate number of holes in the tabletop supports in order to accommodate all of the arms of the table supporting frames. Stanford, as modified, fails to teach a plurality of guiding slots in the inner sidewall of the surrounding rim to align with the attachment holes or that the tabletop is foldable. Pinch teaches a plurality of guiding slots (160) formed on the inner sidewall (152) of a surrounding rim to align with an attachment arrangement. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the inner sidewalls of Stanford, as modified, by using guiding slots therein, as taught by Pinch, in order to provide a means to more positively align the arms of the supporting frames with the holes in the tabletop supports. Pinch further teaches a tabletop comprising a folding joint (164) formed between supporting portions of the supporting frames. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the tabletop of Stanford, as modified, by using a folding tabletop as taught by Pinch in order to make stowage of

the device easier when not in use. Stanford, as modified, further teaches a ring shaped locker (108) slidably mounted to the supporting arms.

6. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford, as modified, as applied to Claim 58 above and further in view of Pinch. Stanford, as modified, fails to teach that the tabletop is foldable. Pinch further teaches a tabletop comprising a folding joint (164) formed between supporting portions of the supporting frames. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the tabletop of Stanford, as modified, by using a folding tabletop as taught by Pinch in order to make stowage of the device easier when not in use.

Response to Arguments

7. Applicant's arguments with respect to claim 58 (see arguments A, D, E) have been considered but are moot in view of the new ground(s) of rejection.

8. With respect to the applicant's arguments regarding the "double mid reinforcing structure": Stanford teaches a supporting structure which essentially provides twin T-shaped supports at the middle of the table. By replacing the t-shaped supports with a pair of L-shaped supports (as modified by Palmer), the middle supporting structure will be a "double mid reinforcing structure." Palmer is presented as teaching an arrangement of table legs (the two L-shaped legs) that form an equivalent structure to that of Stanford and would therefore be an obvious variation. With respect to the arguments regarding the separate structures, it has been held that constructing a

formerly integral structure in various elements involves only routine skill in the art.

Nerwin v. Erlichman, 168 USPQ 177,179. Such a device, as modified by Palmer in order to provide more structural rigidity to the tabletop when in use, would inherently have a more even and effective distribution of loading.

9. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

10. Stanford teaches a ring-shaped locker (108).

11. With respect to applicant's arguments in paragraphs I and M: Claim 60, as currently submitted has not been amended from the last presentation. With respect to applicant's argument regarding the number of attaching members taught by Stanford, as modified, and further modified by Witkowiak. Witkowiak merely presents the mounting arrangement. It would be obvious to use the correct number of attaching means (in this case, 4) to attach all of the leg/supports needed.

12. With respect to applicant's arguments J, K, L, N, O, P and Q, please refer to the rejections above. Pinch teaches guiding slots and a folding tabletop. Stanford teaches a ring shaped locker.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NOAH C. HAWK whose telephone number is (571)272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on 571-272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. C. H./
Examiner, Art Unit 3636

/DAVID DUNN/
Supervisory Patent Examiner, Art Unit 3636